

1 **ALVERSON TAYLOR & SANDERS**
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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 FIDELE NTIHABOSE, an individual

13 Case No.

14 Plaintiff,

15 vs.

16 HOLIDAY MOTOR COACH, LLC, a
17 Foreign Limited Liability Company; STEVE
18 SOMMERS; DOES II-X; and ROE
19 Corporations I-X, Inclusive,

20 **NOTICE OF REMOVAL**

21 Defendant.

22 **NOTICE OF REMOVAL**

23 COMES NOW, Defendant HOLIDAY MOTOR COACH, LLC (“HMC” or
24 “Defendant”) by and through its counsel of record, the law firm of Alverson Taylor & Sanders,
25 and files its Notice of Removal as follows:

26 1. On or about January 7, 2021, Plaintiff Fidele Ntihabose (“Plaintiff”) commenced
27 this action in the Eighth Judicial District Court, Clark County, Nevada (“State Court”) by filing
28 the Complaint.

29 2. Defendant was served with a Summons and Complaint in this matter on March
30 19, 2021. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served
31 upon Defendant are attached as **Exhibit A**.

32 3. No further proceedings have been had in this matter in State Court.

33 4. Defendant is and was at the time this action was commenced an Idaho limited

1 liability company with its principal place of business in that State. HMC is the only defendant
2 properly served in the action. Plaintiff alleges he is a resident and citizen of the State of Nevada.
3 Therefore, there is now and there was at the time of the commencement of this action complete
4 diversity between plaintiff and defendant.

5 5. Does II-X and Roe Corporations I-X are named and sued fictitiously, and their
6 citizenship is disregarded as a matter of law for purposes of removal on grounds of diversity
7 jurisdiction.

8 6. The complaint alleges claims of negligence, negligence entrustment, negligent
9 hiring and negligent training. Plaintiff prays for the recover of general damages "in excess of
10 \$15,000." Plaintiff also prays for unspecified special damages consisting of past and future
11 medical expenses.

12 7. The sum of the damages alleged by plaintiff necessarily exceeds \$75,000,
13 exclusive of interest and costs, based on the following facts: Plaintiff's Complaint alleges that
14 he suffered "permanent injuries, pain and suffering, physical inconvenience and discomfort, loss
15 of time, mental anguish, medical expenses, and loss of enjoyment of life; that Plaintiff's injuries
16 are permanent and continuing and he will suffer damages in the future."

17 8. This Court has original jurisdiction over the subject matter of this action under
18 the provisions of Section 1332 of Title 28 of the United States Code in that there is complete
19 diversity between the parties and more than \$75,000 in controversy exclusive of interest and
20 costs. Pursuant to Section 1441 of title 28 of the United States Code, Holiday Motor Coach,
21 LLC is therefore entitled to remove this action to this Court.

22 9. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal is timely as it is
23 being filed within thirty (30) days after Defendant was served with a copy of the Complaint and
24 Summons on March 19, 2021.

1 10. A true and correct copy of this Notice of Removal is being filed this date with
2 the Clerk of the District Court of Clark County, Nevada.
3

4 WHEREFORE, based on the foregoing, Holiday Motor Coach, LLC respectfully
5 requests that this Court assume full jurisdiction over the proceeding as provided by law.
6

7 DATED this 9th day of April, 2021.
8

9 ALVERSON TAYLOR & SANDERS
10



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18

19 **CERTIFICATE OF SERVICE VIA CM/ECF AND MAIL**
20

21 Pursuant to FRCP 5, I hereby certify that I am an employee of ALVERSON TAYLOR
22 & SANDERS and that on the 12th day of April, 2021, I caused to be served via CM/ECF a true
23 and correct copy of **NOTICE OF REMOVAL** to the following:
24

25 Peter M. Angulo, Esq.
26 ANGULO LAW GROUP, LLC
27 5545 S. Mountain Vista Street, Suite F
28 Las Vegas, NV 89120
29


30 An Employee of ALVERSON
31 TAYLOR & SANDERS
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